



Bureau of Land Management  
<http://www.mt.blm.gov>

# Newsletter

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U.S. Forest Service  
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## FS and BLM Off-Highway Vehicle (OHV) Environmental Impact Statement/Plan Amendment for MT, ND and portions of SD

On February 24, 2000, we completed the 90-day comment period on the Bureau of Land Management (BLM) and Forest Service (FS) Draft Environmental Impact Statement (DEIS) and plan amendment for managing motorized, cross-country, off-highway vehicle (OHV) travel. We would like to take this opportunity to update you on the status of our project and what we heard.

We received 2,309 letters and over 1,500 people attended the 35 open houses, which were held around Montana, North Dakota and South Dakota.

Currently, we are analyzing and preparing responses to the public comments, and working on the Final EIS. Completion of the Final EIS is scheduled for December 2000. This newsletter provides a summary of the comments we received and key issues we heard.

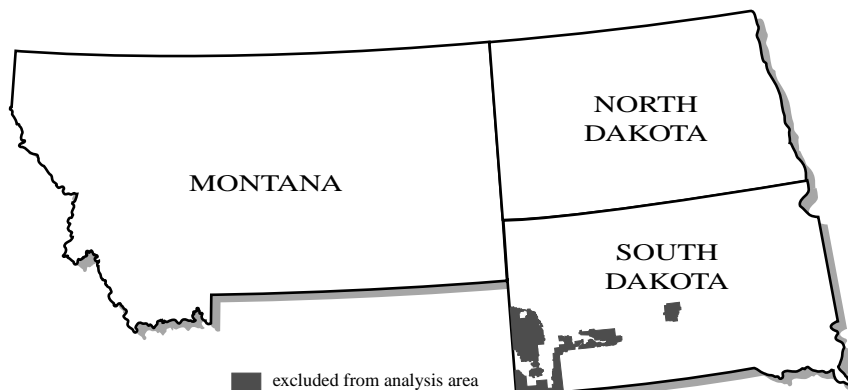
### What Exactly Are We Doing and Why?

The BLM and FS proposal is to prohibit cross-country, OHV travel on federal lands administered by the FS and BLM for wheeled, motorized vehicles in the states of Montana, North Dakota and portions of

South Dakota. This change in management direction affects areas that are currently open year-long or seasonally which totals approximately 15.9 million acres. The analysis area does not include the Lolo National Forest, the Missoula Field Office, Black Hills National Forest, Buffalo Gap Grasslands and Fort Pierre Grasslands. This plan amendment addresses cross-country travel and does not change current road or trail restrictions.

The purpose of the EIS/plan amendment is to prevent further resource damage and related problems caused by motorized, cross-country travel. The long-term goal, through site-specific travel planning, is to designate roads and trails for motorized use.

The BLM and FS will continue with on-going travel management plans and develop new travel management plans for geographical areas (i.e., landscape analysis, watershed plans, or activity plans) through public involvement. Roads and trails would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed through local travel planning. The inventory would be commensurate with the analysis needs, issues, desired resource conditions and resource management objectives for the area. This could include identifying areas for trail construction, or specific areas where intensive off-highway vehicle use may be appropriate.



## What Did We Hear You Say?

In general, the issues identified in the content analysis process for the DEIS were similar to those identified during the scoping process. Most people felt that the issue of OHV use on public land needed to be addressed. However, from that point on, there was little agreement on how OHV's should be managed.

Although the public comment process is not a voting exercise, certain opinions were common in the majority of letters and e-mails. Comments such as *does not solve OHV problem, legalizes user made roads and trails, covers too large an area, not a full range of alternatives, need alternative like Montana State Lands Policy, closed unless posted open, none of the alternatives are acceptable, no action needed, travel on designated routes only*, and various wording of the same ideas were recurrent in the 2,309 letters.

Following are examples of comments listed by subject in the DEIS.

### PLANNING

Comments received on the Planning /NEPA section of the DEIS primarily focused on subjects such as range of alternatives; management compliance with Executive Orders 11644 (1972) and 11989 (1977) and the associated CFRs; size of the area addressed in the DEIS; recognition and or sanctioning of user-created roads and trails; reduction or closure of access to public lands; the plan accommodates and promotes OHV use; necessity of the DEIS; the time length for site-specific planning during the interim period; possible increase of user created trails during the interim period; local input and control of the site-specific process; lack of an alternative that mirrors the Montana State Lands Policy or the Lolo National Forest Plan; pre-determined decision; lack of data presented in the DEIS to support the alternatives; OHV use in roadless areas; and concern about effects on individual resource components such as wildlife, vegetation, soils, etc.

The following comments represent a cross-section of the comments received on the Planning Section of the DEIS:

*"The BLM and Forest Service should open more land to the public instead of keeping and adding to the discriminatory practices they now enforce."*

*"Thousands of miles of rutted 'user-created' routes will remain open and the massive resource damage occurring along these routes will continue as will the user conflicts. These 'user created' routes should be closed."*

### ALTERNATIVES

There were many comments about the alternatives and they ranged from the need for a more restrictive alternative to including fewer restrictions or that existing regulations are adequate. Some thought the preferred alternative was reasonable. The following comments represent a cross-section of the comments received on the Alternatives Section of the DEIS:

*"The present plan is working well, so why not just leave things alone!"*

*"All ORV trails that are not on legally designated routes should be closed. These ORVs must be kept on legally designated routes because they are destroying grasslands, bothering wildlife and are destroying streams and stream banks when crossing. Let's save something for future generations."*

*"In the spirit of compromise and cooperation, I will vote for the preferred alternative #2."*

*"We cannot support any of the agencies alternatives. But we offer our support for the Montana State Lands Alternative."*

*"We really prefer the 'No Action Alternative' (current management). Since the problem areas are so few, small compared to the entire acreage involved we believe those specific sites should be addressed on an as-needed basis."*

### IMPLEMENTATION

The primary concerns expressed on implementation of the DEIS centered around: enforcement; education; timing, process and public involvement in site-specific planning (the next phase); and to a small

degree, signing. The following comments represent a cross-section of the comments received on the Implementation Section (Appendix B&C) of the DEIS:

*“Even with restrictions, off road vehicle use should be prohibited unless adequate monitoring and enforcement of the use and its impacts is fully implemented.”*

*“Implementation, especially enforcement, is not adequately discussed. Executive Order 11644 states that the agency shall prescribe appropriate penalties and establish procedures for enforcement.”*

*“How to address problem areas? Less administrators, more enforcement officers in the field. Catch the culprits, fine them, make them pay to repair the damages and make them physically help with the repairs.”*

*“My suggestion would be to take little or no action. Then help better educate the OHV operators on how to take better care of public land and what kind of things not to do. Whatever happens please try to keep as many trails open as possible.”*

*“The lack of enforcement in our public lands is a very serious stumbling block. How do you prove which ruts in the dirt have been in existence and which were created by driving the same truck three times last weekend.”*

## ROADS AND TRAILS

Although a number of general comments were expressed, most of the comments on roads and trails were in two categories: the definition of cross-country travel in the DEIS and the topic of user-created roads and trails. The following comments represent a cross-section of the comments received on the Roads and Trails Section of the DEIS:

*“In general, we support the definitions for existing primitive roads and trails that were developed in the DEIS. All existing primitive roads and trails are important resources needed to meet the needs of motorized recreationists. We support the continued use of all existing trails or primitive roads that can be distinguished in the field.”*

*“Because of your insistence in allowing continued motorized use of illegal routes, I feel I have both a right*

*and a responsibility to remind you of the record of non-motorized use of public lands. Some of these as yet unspoiled lands have been used for generations – to hunt, fish, gather, walk, recreate – but have been left unharmed. There is minimal physical evidence of use because little trace was left – in keeping with your regulations and a stewardship philosophy. Now this ethic is being ignored.”*

## SOCIAL

People who expressed themselves on the social aspects of the DEIS were sharply divided on management of OHVs on public lands, and while some of the concerns they expressed had common themes such as the emphasis on the land being “public,” and the issue of user conflicts, most issues were unique to each group. The following comments represent a cross-section of the comments received on the Social Section of the DEIS:

*“Continued use of ORVs on user-created routes is creating major social conflicts with non-motorized users and in many places displaces non-motorized users to other trails and areas. Most non-motorized trail users indicate their outdoor experience is degraded by ORV encounters. Eighty-nine percent (89%) of hikers and 84% of horseback riders believe motorcycles are incompatible with use. Many of these non-motorized abandon or are displaced from trails once motorized use becomes significant because of their impaired experience.”*

*“The reason you are seeing an increase in off road vehicles is because there are more families spending time together in the outdoors and having fun doing so. This proposal should be stopped so families have the freedom to go into the outdoors and spend time as a family.”*

*“It is important to recognize the anti-regulatory attitude that is sweeping the western states. Simple road closures have caused near riot conditions in many states already. The Federal Government should not take lightly the concerns the public is voicing about being locked out of our Public Lands.”*

*“I am also tired of hearing about people being locked out of public land if they can't drive a vehicle anywhere they please. Having to travel by foot or horseback is not being locked out.”*

## RECREATION

There were many comments on recreation that dealt with the topics of hunting/game retrieval, camping, user conflicts, disabled/aging, and access. The following comments represent a cross-section of the comments received on the Recreation Section of the DEIS:

### Hunting/Game Retrieval:

*"Cross-country travel to retrieve game should not be allowed anywhere. If you can walk there to shoot it, you can pack it out. Motorized, cross-country game retrieval is unenforced, unenforceable and unnecessary. This type of game retrieval interferes with other hunters and diminishes the very resource that all hunters enjoy. A good hunter does not need or expect game retrieval to be easy. Catering to road hunters at the expense of others and the degradation of public resources is not appropriate."*

*"The OHV Plan Amendment is very bad for all average Montana sportsmen. To access the far reaches of BLM land either motor or horsepower is necessary. This would be a bonanza for Guide and Packers, but it would ruin much hunting for the little guys."*

### Camping:

*"To allow driving 300 feet off designated trails to camp in reality creates a 600-foot wide swath with every road and trail. The 50-foot restriction would markedly lessen vehicle impact on sensitive camping areas."*

*"300 feet off of road for camping sites – isn't far enough. I see a real enforcement problem."*

### Persons with Disabilities/Aging:

*"I cringe at the argument that elderly and disabled people are hurt when ORV use is limited. I find this an offensive disingenuous argument. If you could promise me that only people over 70 and those with true disabilities would be allowed to use ORVs, I would for many locations, absolutely silence my anger. But this argument is such a smokescreen. People of the mind to use ORVs have likely always been of the mind to use ORVs; few if any make the transformation to being an ORV user because of increasing age or some physical malady. Those who love the land recognize that they can love the land from the ample places they can*

*already access. Everyone does not have to go everywhere. It is not right for the land."*

*"The use of an ATV is the ONLY way that many of us are able to access the forest areas. I am a service connected disabled veteran. My daughter is also disabled and confined to a wheelchair. As more and more roads are closed, we find fewer and fewer areas that we can get to. We are also finding more people being concentrated into the reduced areas causing much more damage than if the traffic load was more spread out as in the past."*

*"Any restriction penalizes the handicapped, the aged, the very young and anyone short of time, or anyone in poor condition making the BLM and Forest Service a private playground for a few privileged individuals. Building expensive ramps to the National Forest office does not help the handicapped if they are allowed access only to a few isolated spots."*

*"I have heard the argument that many who would like to enjoy the backcountry cannot due to physical limitations. I fall into that category too. I can't do now, at my age, what I could do 40 years ago. Does that mean we should 'motorize' and 'track' EVERYTHING? I think not."*

### User Conflicts:

*"As far as user conflict is concerned there are millions and millions of acres of wilderness where no motorized vehicles are allowed. Hikers and horsemen must realize there are other people in this country besides them and there is room for all."*

*"According to studies by Montana's Department of Fish Wildlife and Parks, 90% of NF use in Montana is non-motorized. By the numbers alone OHV use is a minority on public lands. Yet their impact on both resources and traditional quiet users is in far greater proportion to their numbers. The vast majority of NF and BLM lands users do not use an OHV. Yet the resources that quiet users protect and enjoy are being destroyed by the enormous impacts of motorized OHV use."*

### Access:

*"I think that all citizens should have access to their public lands. They belong to all of us. I would not want to see just a privileged few have access to these public lands. Multiple use is the key word."*

*"Reasonable access to our public lands is a must but this does not mean a road every quarter of a mile."*

## WILDERNESS/ROADLESS

Comments on Wilderness/Roadless areas were fairly numerous but covered a narrow range of concerns. The main comments were *the DEIS offers no protections for roadless, allow no motorized use in roadless areas, we don't need anymore wilderness, and we need to preserve what roadless areas are left*. The following comments represent a cross-section of the comments received on the Wilderness/Roadless Section of the DEIS:

*"The wilderness and roadless areas are not accessible to the majority of the public. Not only from the financial burden but from a time standpoint (walking as opposed to riding). What is the object of saving the public land from the public if the public is not able to use it."*

*"I strongly favor keeping all roadless areas exactly that roadless and with no vehicles whatsoever. The only way to preserve a semblance of wilderness is to prohibit all motorized vehicles. Vehicles allow transportation of substances, devices, and equipment that can be extremely harmful to fauna and flora in sensitive areas."*

## ECONOMICS

Many people commented that the economics section did not consider the economic contributions of non-motorized recreation, the economic benefit of "wild" areas, and the costs associated with motorized recreation. On the other hand, a number of people felt that the agencies were further crippling local economies by restricting OHV use. Some people felt that conducting an economic analysis of the OHV industry was inappropriate because they felt that the agencies should analyze effects to the natural resources and not to a single industry. Others commented that OHV users paid for their activity and that their activity generated money while hikers did not pay for their activity and did not generate much money for the local economy. Also under this topic were general comments about the economics of extractive industries versus tourism. Some thought that the extractive

industries such as timber and mining were far more lucrative than tourism and vice versa.

The following comments represent a cross-section of the comments received on the Economics Section of the DEIS:

*"The increased tourism and ATV use is a great benefit for local business and for the state."*

*"I object to the economics of OHV industry being included here. The success or failure of an industry is not an environmental issue. It is also not the duty, purpose or right of the Forest Service, BLM, or Fish & Game Dept. to worry about or try to influence the viability of a single industry."*

## WILDLIFE

Concerns expressed by commenters on the subject of wildlife centered around degradation and fragmentation of wildlife habitat and the potential impacts the alternatives presented in the DEIS would have on wildlife. The following comments represent a cross-section of the comments received on the Wildlife Section of the DEIS:

*"We support the protection of any and all remaining parcels of public lands for wildlife habitat and believe that should be the paramount focus of all planning efforts."*

*"...disrupt wildlife and damage wildlife habitat. I have seen no proof that any of these problems have been caused by motorized recreationalists. This is a false accusation."*

## SOILS

The comments on soils were all related to erosion. Some people felt that OHVs tear up the land and cause serious erosion problems while others commented that horses and cattle create more erosion problems than OHVs. The following comments represent a cross-section of the comments received on the Soils Section of the DEIS:

*"My sister and I have camped and explored on some of the National Forests in the plan and have commented*

*to each other the deplorable condition OHVs have left the meadows in. Steep slopes are also victims of OHV damage."*

*"ATV's don't tear up a trail much more than horses do. I've seen how much damage to roads and trails they each do and the difference is minimal."*

## VEGETATION

Most of the comments on vegetation related to noxious weeds. There were basically two sides on this issue. Some people commented that there was ample evidence that vehicles were the worst avenues for spreading noxious weeds. They thought that the agencies should aggressively restrict OHV use to slow the spread of weeds. On the other side of this topic, many people commented that motorized users were being blamed for a problem that was actually caused by numerous factors. The following comments represent a cross-section of the comments received on the Vegetation Section of the DEIS:

*"OHV use has contributed alarmingly to the spread of noxious weeds on government lands."*

*"Spread noxious weeds – everything that moves on this land has the potential for spreading weeds, including every hiker, every hiker's dog, every wild animal, every cow, every horse and every breeze. I have seen no proof that OHVs spread weeds more than any of the items mentioned above."*

## AQUATICS

There were a few comments on riparian areas, wet meadows, and fisheries. In general, commenters felt that streams and meadows were fragile ecosystems and should be protected by prohibiting motorized travel. On the other hand, some people commented that horses and cows created a lot of erosion and subsequent sediment and that this entire topic was

just an excuse to restrict motorized travel. The following comments represent a cross-section of the comments received on the Aquatics Section of the DEIS:

*"Aquatic organisms suffer when sedimentation is increased in streams by OHV. Fish species that rely on spawning beds suffer from increased sedimentation introduced into their waters by OHV use."*

*"I think erosion and water quality degradation are vastly overstated."*

## CULTURAL

Only a few comments were made on cultural resources. The comments ranged from providing greater detail on tribal history to the importance of historic wagon trails to impacts to cultural resources and culturally important plant communities. Some people commented that they did not think cultural resources were being impacted by OHV use. Some comments favored protection of cultural resources.

## COMMERCIAL ACTIVITIES

While only a moderate amount of comments dealt with commercial activities, and subjects were pretty much limited to grazing leases and utility, gas and oil leases, the opinions expressed were very diverse. The following comments represent a cross-section of the comments received on the Commercial Activities Section of the DEIS:

*"Permittees should abide by the same access privileges afforded the general public as they exercise their use of these same public lands."*

*"Ranchers and other permitted uses must be able to use motorized vehicles to care for livestock (fencing, salting, maintaining wells etc.) as a minimum."*

## Do You Want More?

This is only a brief summary of your comments. However, a longer, more detailed summary is available at <http://www.mt.blm.gov> (or) [www.fs.fed.us/r1](http://www.fs.fed.us/r1) or you may contact us at your convenience.

## What's Next?

A Final EIS and Plan Amendment will be issued in December 2000 followed by an opportunity for protest/appeal. We encourage you to participate in any on-going or subsequent site-specific travel planning through your local FS District or BLM Field Office.

## Who To Contact?

For additional information or questions, please contact your local BLM or FS office or contact Jerry Majerus (BLM) at (406) 538-1924 or Dave Atkins (FS) at (406) 329-3134.

